



19 May 2011

Barack Obama
The President
The White House
1600 Pennsylvania Avenue N.W.
Washington, DC 20500

Dear Mr. President:

As leaders of business associations, labor unions and civil society organizations, we join together to call on the Administration to take concerted action in 2011 to roll back bribery and corruption in international business transactions.

Foreign business bribery penalizes U.S. firms and workers, impeding U.S. exports and, as a result, undermines our economic recovery. The United States assumed a leadership role in securing important international political and legal commitments to combat bribery and reduce solicitation. However, it is evident that too few countries are implementing those commitments in practice. Your leadership has been and will continue to be essential to the success of international efforts to prevent bribery.

This year, as Chair of the OECD Ministerial Meeting and host to the APEC Leaders Meeting, your Administration can and must make decisive advances on two vitally important fronts.

1. First, the Administration must secure vigorous, consistent enforcement of international arrangements, such as the OECD Anti-Bribery Convention, APEC commitments to combat corruption and promote transparency, the G20 Anti-Corruption Action Plan, and the United Nations Convention Against Corruption (“UNCAC”).

2. Second, the Administration needs to ensure that major emerging countries such as China, India and Russia are full partners in key anti-corruption agreements such as the OECD Anti-Bribery Convention and the UNCAC.

Mr. President, the next twelve months will be critically important for the recovery of the U.S. economy. A concerted push to stem international business bribery would make an important contribution to this goal. Through a relentless focus on the actions set out in the attached International Anti-bribery and Corruption Action Plan for 2011, you and your Administration can ensure that the international economic system is less stained by corruption –and the prospects for U.S. firms and workers are brighter – one year from now than they are today.

Respectfully yours,

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
Business Roundtable (BRT)
Coalition of Service Industries (CSI)
Emergency Committee for American Trade (ECAT)
National Association of Manufacturers
National Foreign Trade Council (NFTC)
Transparency International-USA
U.S. Chamber of Commerce
US-Russia Business Council
United States Council for International Business (USCIB)

International Anti-Bribery and Anti-Corruption Action Plan for 2011

OECD Ministerial Meeting

Thirty-eight countries are signatories of the OECD Anti-Bribery Convention, under which they have agreed to adopt and enforce laws broadly comparable to the U.S. Foreign Corrupt Practices Act (FCPA). Unfortunately, only seven countries are actively enforcing the Convention. There is moderate enforcement in nine countries and little or no enforcement in over 20 countries. Vigorous, consistent enforcement by the major OECD exporting nations is a critical objective in and of itself; it is also vital to setting the benchmark for the G20 members who have agreed to adopt and enforce foreign bribery laws.

Secretary Clinton will serve as Chair of the OECD Ministerial Meeting on 25-26 May 2011. The Ministerial provides an opportunity to overcome the lack of high level political commitment by lagging governments. The following actions should be considered:

- The Secretary-General should visit the top leaders of governments in countries where enforcement is lagging and develop a timetable for remedial action.
- The OECD should publish a list of non-complying governments. This would make clear to governments and companies around the world that a higher level of due diligence is needed before doing business with companies based in such countries.
- The OECD Secretariat should intensify outreach to China and India regarding adherence to the Convention and participation in the OECD Working Group peer review.

G20 Working Group and Leaders Meeting

As the G20 members currently comprise 80 percent of global trade and as its members are both important exporters and important markets, it is a critical forum for action against bribery and solicitation. We commend the Administration for placing foreign bribery on the G20 agenda.

We urge that Secretary Geithner include this among his top priorities in 2011. In particular, we should ensure that at the G20 Annual Summit in Cannes in November

2011, the G20 countries are taking concrete action to implement their Anti-Corruption Action Plan commitments. We should also ensure that a progress report on their commitments is published prior to the Summit and that a clear agenda is set for future action at the Cannes meeting. It is also essential to ensure that all G20 countries should become signatories of the OECD Anti-Bribery Convention.

UN Convention Against Corruption (UNCAC) Conference of States Parties

The UNCAC, with its broad scope of articles and over 150 parties has the potential to be game-changing. We are pleased that the country reviews are underway. To ensure the success of the peer review mechanism three main elements are crucial: (i) on-site country visits; not just desk reviews; (ii) participation by the private sector and civil society, not just governments; and (iii) a transparent process, including publication of country reports. The US is setting the right precedent in the current review of the US, but broader acceptance of these elements is still needed.

APEC Leaders Summit

The President will host the APEC Leaders Summit in November of this year. APEC members have agreed to take action against all forms of bribery and on transparency in procurement, customs, investment and licensing. As host to this year's APEC Leaders' Summit, the US is uniquely positioned to ensure implementation of the 2010 Leaders' commitment to report publicly on what they are doing to adopt and enforce foreign bribery laws and transparency standards.

Bilateral Strategic & Economic Dialogues with China and India

China and India are major exporters, and it is imperative that they adopt and enforce credible foreign bribery laws and that financing, whether through export credit agencies or development assistance, should not support deals secured through illicit means. In addition to focusing on the accession of these countries to the OECD Convention, the Administration should encourage them to adhere to the *2006 OECD Recommendation on Bribery and Officially Supported Export Credits*.